

**AFFIDAVIT OF SERVICE BY THE SECRETARY OF STATE**

Index # 17741/07  
State of New York, Supreme Court

Purchased/Filed: July 24, 2007  
County of Bronx

IZAYA MALDONADO, by Parent and Natural Guardian, LUIS MALDONADO,

Plaintiff

against

THE CITY OF NEW YORK, et. al.,

**FILED**

Defendant

STATE OF NEW YORK, COUNTY OF WARREN, SS.:

AUG 06 2007

**BRONX COUNTY CLERK'S OFFICE**

Sarah Roberts, being duly sworn, deposes and says: deponent is over the age of twenty-one (21) years; deponent is not a party herein; that on July 31, 2007, at 1:24PM, at the office of the Secretary of State of the State of New York, at 41 State Street - 2nd Floor, Albany, New York 12207, deponent served the annexed:

Summons and Complaint

PIONEER TRANSPORTATION CORP.

Defendant in this action, by delivering to and leaving with CAROL VOGT AUTHORIZED AGENT in the Office of the Secretary of State of the State of New York, personally at the Office of the Secretary of State of the State of New York, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40.00 dollars; that said service was made pursuant to Section 306 Business Corporation Law, ☐; and via Registered Mail sent on \_\_\_\_\_ receipt attached.

The Index No. and the date the action was filed were clearly marked and visible to the defendant.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 46 Approx. Weight: 110 Approx. Ht.: 5'4  
Sex: F Color of skin: WHITE Color of hair: BROWN Other: \_\_\_\_\_

Sworn to before me on this 31st day of July 2007

Linda J. Fuller  
Linda J. Fuller  
Notary Public, State of New York  
No. 01FU0137505  
Qualified in Warren County  
My Comm. Exp. Nov. 28, 2009

Sarah Roberts  
Sarah Roberts

Cust. #/ WO # 148306

STATE PROCESS SERVING COMPANY - P.O. Box 625 - YORKTOWN HEIGHTS, NEW YORK 10598

SUPREME COURT STATE OF NEW YORK  
COUNTY OF BRONX

MARSH MENKEN &amp; WEINGARDEN PLLC

IZAYA MALDONADO, ET AL.

- against -

Plaintiff(s)

Index No. 17741-07

AFFIDAVIT OF SERVICE  
OF:

THE CITY OF NEW YORK, ET AL.

Defendant(s)

SUMMONS AND COMPLAINT

STATE OF NEW YORK: COUNTY OF WESTCHESTER ss:

DAVID LEVINE

BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY

TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 08/02/07 at 0938 Hours at CORPORATION COUNSEL 100 CHURCH STREET NEW YORK, N.Y. 10007

deponent served the within SUMMONS AND COMPLAINT

THE CITY OF NEW YORK

**FILED**

AUG 09 2007

on

INDIVIDUAL

☐

by delivering a true copy of each to said personally; deponent knew the person so served to be the person described as said person therein.

(S) He identified himself as such

BRONX COUNTY CLERK'S OFFICE

CORPORATION

☒

a (domestic) (foreign) corporation by delivering thereof a true copy of each to personally, deponent knew said corporation so served to be the corporation described in legal papers and knew said individual to be

MADALYN SANTANA

described in legal papers and knew said thereof

AUTHORIZED

SUITABLE  
AGE PERSON☐

by delivering thereof a true copy of each to

a person of suitable age and discretion. Said premises is recipient's (actual place of business) (dwelling house) (usual place of abode) within the state.

(S) He identified (her) himself as

of recipient

AFFIXING TO  
DOOR, ETC.☐

by affixing a true copy of each to the door of said premises, which is recipient's (actual place of business) (dwelling house) (usual place of abode) within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereof, having called there on the dates below:

MAILING  
USE WITH  
C or D☐

Deponent also enclosed a copy of same in a postpaid sealed wrapper properly addressed to the above recipient and deposited

said wrapper in (a post office) official depository under exclusive care and custody of the United States Postal Service within New York State.

Deponent further states that he describes the person actually served as follows

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
FEMALE	BROWN	BLACK	30	5'6	130

MILITARY  
SERVICE☒

Person spoken to was asked whether the recipient(s) was (were) in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient(s) is (are) not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

That at the time of such service deponent knew the person (s) so served as aforesaid to be the same person (s) mentioned and described as the defendant(s) in this action.

\*\*\* ABOVE PAPERS WERE ENDORSED WITH THE INDEX NUMBER AND THE DATE OF FILING, 07/24/07 \*\*\*

USE IN  
NYC CIVIL CT.☐

The language required by NYCRR 2900.2(e), (f) &amp; (h) was set forth on the face of said summons (es).

Sworn to before  
me on the

08/06/07

GERI L. ALBERT  
Notary Public, State of New York  
No. 01AL5047399  
Qualified in Westchester County  
Commission Expires July 31,DAVID LEVINE  
LICENSE No.  
778982

# 148303

SUPREME COURT STATE OF NEW YORK  
COUNTY OF BRONX

MARSH MENKEN &amp; WEINGARDEN PLLC

IZAYA MALDONADO, ET AL.

Plaintiff(s)

- against -

THE CITY OF NEW YORK, ET AL.

Defendant(s)

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AUG 6 2007

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THE BOARD OF EDUCATION OF THE CITY OF NEW YORK

INDIVIDUAL

A ☐

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CORPORATION

B ☐

a (domestic) (foreign) corporation by delivering thereat a true copy of each to personally; deponent knew said corporation so served to be the corporation described in legal papers and knew said individual to be

MADALYN SANTANA

described in legal papers and knew said thereof

AUTHORIZED

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AGE PERSONC ☐

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Commission Expires July 31, 2009DAVID LEVINE  
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# 148304